



Indiana Legal Services, Inc.

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September 11, 2016

The Honorable Sylvia Mathews Burwell
Secretary, U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

RE: *Indiana's Request to Extend Waiver of Non-emergency Medical Transportation*

Dear Secretary Burwell:

Indiana Legal Services, Inc., writes to comment on Indiana's proposal to amend its section 1115 demonstration project, HIP 2.0, by extending the waiver of non-emergency medical transportation (NEMT) through January 2018. For the reasons set forth below, we ask that the waiver of NEMT not be extended.

Indiana Legal Services, Inc. is a statewide, non-profit, free legal services provider for low-income individuals and families. We work with clients in every insurance arrangement available to low-income individuals: HIP 2.0, traditional Medicaid, CHIP, Medicaid/Medicare dual eligibility, etc. We also participate in medical legal partnerships with primary health care providers. Some of our MLPs work very closely with Healthcare Navigators at Federally Qualified Health Centers.

The application for extension of the NEMT waiver relies heavily on studies that purport to conclude that NEMT offers no benefit because lack of transportation is not the *primary* reason that HIP recipients miss doctor appointments. That is not a surprising finding. Poverty is complicated. HIP 2.0 recipients living below 138% of the Federal Poverty Level have many reasons for missing a doctor appointment: lack of childcare, unavoidable obligations, inflexible employment schedules. But this fact does not mean that NEMT is not an important benefit—and a necessary part of a health care delivery system. The need for transportation is especially critical for the large portion of our client population that resides in rural areas with no public transportation or urban areas with insufficient public transportation.

Many Hoosiers who could potentially benefit from NEMT have either no access to public transportation or no convenient public transportation. If they need to access their medical care, they have no choice except to use other forms of transportation (driving their own vehicle, riding with a friend or relative, etc). These methods are unlikely to be as reliable as NEMT, and in the case of relying on others, may require sacrifice on the part of the friend or relative—missed work, needed childcare arrangement—who may also qualify as low-income. Access to NEMT is one reason our clients report for seeking State Plan benefits. It may be the most common reason.

In short, we know from our client population that NEMT is an important part of their ability to access medical care. For some, it is essential because without it they forfeit care. We urge you not to renew the HIP 2.0 NEMT waiver. Thank you for your consideration of these comments.

Sincerely,

Jon Laramore
Executive Director

Amanda Hall
Staff Attorney